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Attorney Docket No.: P17516
Application No.: 10/723,135

PATENT

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
(FOR INTEL CORPORATION PATENT APPLICATIONS)

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below, next to my name.

I believe I am the original and first inventor (if only one name is listed below) or an original and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

STREAM UNDER-RUN/OVER-RUN RECOVERY

the specification of which

is attached hereto.
 was filed on November 25, 2003 as
 United States Application Number 10/723,135
 or PCT International Application Number _____
 and was amended on _____
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above.

I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application. I do not know and do not believe that the claimed invention was in public use or on sale in the United States of America more than one year prior to this application, nor do I know or believe that the invention has been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby appoint practitioners associated with the Customer Number: 25694
 as my/our attorney(s) or agent(s), with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence to: Jeffrey B. Huter, Intel Corp.
 (Name of Attorney or Agent)

Intel Corporation, M/S SC4-202, P.O. Box 5326, Santa Clara, CA, 95056-5326, and
 direct telephone calls to Jeffrey B. Huter, Intel Corp. (65) 6213-1481.
 (Name of Attorney or Agent)

INTEL CORPORATION

Rev. 7/8/2004

-1-

Attorney Docket No.: P17516
Application No.: 10/723,135

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Zohar Bogin

Inventor's Signature Zohar Bogin Date 7-21-04

Residence Folsom, California Citizenship U.S.A.
(City, State) (Country)

Post Office Address 171 Wellfleet Circle
Folsom, California 95630

Full Name of Second/Joint Inventor Brent D. Chartrand

Inventor's Signature _____ Date _____

Residence Cameron Park, California Citizenship U.S.A.
(City, State) (Country)

Post Office Address 3426 Oxford Road
Cameron Park, California 95630

Full Name of Third/Joint Inventor Arthur D. Hunter, Jr.

Inventor's Signature ADH Date 7/21/04

Residence Cameron Park, California Citizenship U.S.A.
(City, State) (Country)

Post Office Address 2745 Cambridge Road
Cameron Park, California 95682

Full Name of Fourth/Joint Inventor Mihir Shah

Inventor's Signature _____ Date _____

Residence Philadelphia, Pennsylvania Citizenship INDIA
(City, State) (Country)

Post Office Address 2039 Moravian Street, #2
Philadelphia, Pennsylvania 19103

INTEL CORPORATION

Rev. 7/8/2004

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*Attorney Docket No.: P17516
Application No.: 10/723,135*

**Title 37, Code of Federal Regulations, Section 1.56
Duty to Disclose Information Material to Patentability**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclosure information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclosure all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made or record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.
- A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.
- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

Attorney Docket No.: P17516
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Full Name of Sole/First Inventor Zohar Bogin

Inventor's Signature _____ Date _____

Residence Folsom, California Citizenship U.S.A.
(City, State) (Country)Post Office Address 171 Wellfleet Circle
Folsom, California 95630Full Name of Second/Joint Inventor Brent D. ChartrandInventor's Signature Brent Chartrand Date 7/20/2004Residence Cameron Park, California Citizenship U.S.A.
(City, State) (Country)Post Office Address 3426 Oxford Road
Cameron Park, California 95630Full Name of Third/Joint Inventor Arthur D. Hunter, Jr.

Inventor's Signature _____ Date _____

Residence Cameron Park, California Citizenship U.S.A.
(City, State) (Country)Post Office Address 2745 Cambridge Road
Cameron Park, California 95682Full Name of Fourth/Joint Inventor Mihir Shah

Inventor's Signature _____ Date _____

Residence Philadelphia, Pennsylvania Citizenship INDIA
(City, State) (Country)Post Office Address 2039 Moravian Street, #2
Philadelphia, Pennsylvania 19103

ATTORNEY DOCKETED 10/723,135
Application No.: 10/723,135Title 37, Code of Federal Regulations, Section 1.56
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Attorney Docket No.: PI7516
Application No.: 10/723,135

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(Name of Attorney or Agent)

INTEL CORPORATION
Rev. 7/8/2004

Attorney Docket No.: PI7516
Application No.: 10/723,135

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Cameron Park, California 95682Full Name of Fourth/Joint Inventor Mihir ShahInventor's Signature J. Shah Date 7/22/04Residence Philadelphia, Pennsylvania Citizenship INDIA
(City, State) (Country)Post Office Address 2039 Moravian Street, #2
Philadelphia, Pennsylvania 19103

*Attorney Docket No.: PI75J6
Application No.: 10/723,135*

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